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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/022,075	12/18/2001	Joseph F Beggins	G04.012	5571

28062 7590 10/06/2006

BUCKLEY, MASCHOFF, TALWALKAR LLC
5 ELM STREET
NEW CANAAN, CT 06840

EXAMINER	
GRAHAM, CLEMENT B	

ART UNIT	PAPER NUMBER
3692	

DATE MAILED: 10/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/022,075	BEGGINS ET AL.	
	Examiner	Art Unit	
	Clement B. Graham	3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 December 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-48* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-48* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-48, are rejected under 35 U.S.C. 102(e) as being anticipated by Stokes US Patent 6, 938, 008.

As per claim 1, Stokes discloses a method for facilitating payment by a borrower having an account involving a commercial mortgage loan, wherein ownership interest in the commercial mortgage loan is provided via at least one commercial mortgage backed security, comprising:

allowing access by a borrower to an electronically accessible resource wherein said electronically accessible resource includes information regarding a commercial mortgage loan account (see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67) determining a payment due from said borrower within a time period, wherein said payment is associated with said account;

providing a notification via a first electronic communication to said borrower regarding said payment(see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67) receiving authorization from said borrower via a second electronic communication to process said payment and processing said payment. (Note abstract and see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67).

As per claim 2, Stokes discloses wherein said allowing access by a borrower to andelectronically accessible resource, wherein said electronically accessible resource includes information regarding a commercial mortgage loan account, includes operating

a Web site and allowing said borrower to access said information via said Web site. (see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67).

As per claim 3, Stokes discloses wherein said allowing access by a borrower to and electronically accessible resource, wherein said electronically accessible resource includes information regarding a commercial mortgage loan account, includes at least one of the following:

hosting a Web site accessible by said borrower(see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67) operating a Web site accessible by said borrower, hosting said electronically accessible resource; and

operating said electronically accessible resource. (see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67).

As per claim 4, Stokes discloses wherein said providing a notification via a first electronic communication to said borrower regarding said payment includes at least one of the following:

providing said notification via an email message to said borrower and displaying a message to said borrower regarding said payment when said borrower accesses a Web site on which information regarding said account is located; and

displaying a message to said borrower regarding said payment when said borrower accesses a Web site on which information regarding said payment is located. (see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67).

As per claim 5, Stokes discloses wherein said receiving authorization from said borrower via a second electronic communication to process said payment includes at least one of the following:

receiving said authorization from said borrower when said borrower accesses said electronically accessible resource receiving said authorization via a Web site accessed by said borrower after said borrower receives said notification(see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67)

receiving said authorization via information provided by said borrower via a Web page displayed to said borrower and determining an indication of said authorization from

activity by said borrower on a Web page displayed to said borrower. (see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67).

As per claim 6, Stokes discloses wherein said receiving authorization from said borrower via a second electronic communication to process said payment includes receiving information from said borrower necessary to process said payment. (see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67).

As per claim 7, Stokes discloses processing said payment includes making said payment for said borrower. (see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67).

As per claim 8, Stokes discloses further comprising:
receiving information from said borrower necessary to process said payment. (see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67).

As per claim 9, Stokes discloses wherein said information received from said borrower includes at least one of the following:
a name of a bank associated with said borrower; an ABA routing number an identifier of a financial account associated with said borrower; and an indication of an authorization to process said payment. (see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67).

As per claim 10, Stokes discloses wherein said notification provided to said borrower via a first electronic communication includes at least one of the following:
data indicative of a location where information regarding said payment can be located;
a link associated with a location wherein information regarding said payment can be located(see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67).
data indicative of a location where information regarding said account be located;
a link associated with a location wherein information regarding said account can be located;

an identifier of said borrower(see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67) an identifier of said account, an amount due; and
a due date associated with said payment an identifier of a recipient of said payment. (see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67).

As per claim 11, Stokes discloses wherein said first electronic communication comprises
one of the following:
an email message;
an instant message communication; and a wireless signal transmission. (see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67).

As per claim 12, Stokes discloses further comprising:
identifying a due date associated with said payment. (see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67).

As per claim 13, Stokes discloses wherein said providing a notification via a first electronic communication to said borrower regarding said payment occurs before said due date. (see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67).

As per claim 14, Stokes discloses further comprising:
identifying a drop date associated with said payment. (see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67).

As per claim 15, Stokes discloses wherein said providing a notification via a first electronic communication to said borrower regarding said payment occurs after said drop date. (see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67).

As per claim 16, Stokes discloses wherein said electronically accessible resource includes a Web site. (see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67).

As per claim 17, Stokes discloses wherein said electronically accessible resource includes a database. (see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67).

As per claim 18, Stokes discloses further comprising:
providing a notification to said borrower that said payment has been processed. (see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67).
As per claim 19, Stokes discloses a method for facilitating referral by a borrower to a vendor, wherein the borrower has an account involving a commercial mortgage loan and ownership interest in the commercial mortgage loan is provided via at least one commercial mortgage backed security, comprising:
allowing access by a borrower to an electronically accessible resource, wherein said electronically accessible resource includes information regarding a commercial mortgage loan account;
receiving a request via said electronically accessible resource from said borrower for a service, wherein said borrower is associated with said account;
identifying a vendor that can provide said service(see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67)
identifying at least one step associated with said request;
providing a notification via an electronic communication to said vendor regarding said request and said at least one step; and
communicating with said vendor regarding said at least one step. (see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67).

As per claim 20, Stokes discloses wherein said at least one step includes at least one action to be taken by said vendor by a specific date. (see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67).

As per claim 21, Stokes discloses wherein said communicating with said vendor regarding said at least one step includes providing a notification to said vendor indicative of a lack of a completion of said at least one step. (see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67).

As per claim 22, Stokes discloses wherein said communicating with said vendor regarding said at least one step includes receiving an indication from said vendor of a completion of said at least one step. (see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67).

As per claim 23, Stokes discloses wherein said at least one step includes a plurality of
steps and said communicating with said vendor regarding said at least one step includes: providing a notification to said vendor indicative of a lack of a completion of a first of said plurality of steps receiving an indication from said vendor of a completion of said first of said plurality of steps(see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67) providing a notification to said vendor indicative of a lack of a completion of a second of said plurality of steps(see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67) and receiving an indication from said vendor of a completion of said second of said plurality of steps. (see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67).

As per claim 24, Stokes discloses wherein said notification provided to said vendor includes at least one of the following:
an identifier associated with said request;
an identifier associated with said borrower; and
data indicative of a location where information regarding said borrower is located. (see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67).

As per claim 25, Stokes discloses wherein said at least one step includes a plurality of
steps and wherein said communicating with said vendor regarding said at least one step includes providing a notification to said vendor when one of said plurality of steps is not indicated by said vendor as being completed. (see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67).

As per claim 26, Stokes discloses further comprising:
providing an invoice to said vendor when said service is provided to the borrower.

As per claim 27, Stokes discloses further comprising:
providing an invoice to said vendor when said at least one step is completed.
(see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67).

As per claim 28, Stokes discloses further comprising:

determining if said vendor has completed said at least one step. (see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67).

As per claim 29, Stokes discloses further comprising:
providing a notification to said borrower regarding said vendor. (see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67).

As per claim 30, Stokes discloses further comprising:
providing a notification to said borrower regarding said at least one step. (see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67).

As per claim 31, Stokes discloses further comprising:
receiving a fee from said vendor. (see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67).

As per claim 32, Stokes discloses wherein said electronic communication is an email message. (see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67).

As per claim 33, Stokes discloses wherein said electronically accessible resource is a Web site. (see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67).

As per claim 34, Stokes discloses wherein said receiving a request via said electronically accessible resource from said borrower for a service, wherein said borrower is associated with said account, includes receiving an email message at said electronically accessible resource from said investor, wherein said email message includes said request. (see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67).

As per claim 35, Stokes discloses wherein said receiving a request via said electronically accessible resource from said borrower for a service, wherein said borrower is associated with said account, includes receiving said request during a use of said electronically accessible resource by said borrower. (see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67).

As per claim 36, Stokes discloses a method for facilitating response to an inquiry from an investor regarding a commercial mortgage loan, wherein ownership interest in

the commercial mortgage loan is provided to at least one investor via at least one commercial mortgage backed security, comprising:
allowing access by an investor to an electronically accessible resource, wherein said electronically accessible resource includes information regarding a commercial mortgage loan; receiving an inquiry via said electronically accessible resource from said investor regarding said commercial mortgage loan(see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67)
determining at least one other investor associated with said commercial mortgage loan determining a response to said inquiry(see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67) and providing said response to said investor and said at least one other investor. (see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67).

As per claim 37, Stokes discloses wherein said electronically accessible resource includes a Web site. (see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67).

As per claim 38, Stokes discloses wherein said providing said response to said investor and said at least one other investor includes allowing said investor and said at least one other investor to access said response via said electronically accessible resource. (see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67).

As per claim 39, Stokes discloses, wherein said providing said response to said investor and said at least one other investor includes providing an electronic communication to said investor and said at least one other investor that includes said response. (see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67).

As per claim 40, Stokes discloses wherein said receiving an inquiry via said electronically accessible resource from said investor regarding said commercial mortgage loan includes receiving an email message at said electronically accessible resource from said investor wherein said email message includes said inquiry. (see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67).

As per claim 41, Stokes discloses wherein said receiving an inquiry via said electronically accessible resource from said investor regarding said commercial mortgage loan, includes receiving said inquiry during a use of said electronically accessible resource by said investor. (see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67).

As per claim 42, Stokes discloses wherein said providing said response to said investor and said at least one other investor includes providing data to said investor and said at least one other investor, said data being indicative of a location of said response. (see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67).

As per claim 43, Stokes discloses a system for facilitating payment by a borrower having an account involving a commercial mortgage loan, wherein ownership interest in the commercial mortgage loan is provided via at least one commercial mortgage backed security, comprising: a memory(see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67) a communication port and a processor connected to said memory and said communication port, said processor being operative to allow access by a borrower to an electronically accessible resource wherein said electronically accessible resource includes information regarding a commercial mortgage loan account determine a payment due from said borrower within a time period, wherein said payment is associated with said account(see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67) provide a notification via a first electronic communication to said borrower regarding said payment; receive authorization from said borrower via a second electronic communication to process said payment(see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67) and process said payment. (see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67).

As per claim 44, Stokes discloses a computer program product in a computer readable medium for facilitating payment by a borrower having an account involving a commercial mortgage loan, wherein ownership interest in the commercial mortgage loan is provided via at least one commercial mortgage backed security, comprising:

first instructions for facilitating access by a borrower to an electronically accessible resource, wherein said electronically accessible resource includes information regarding a commercial mortgage loan account(see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67) second instructions for identifying a payment due from said borrower within a time period, wherein said payment is associated with said account third instructions for sending a notification via a first electronic communication to said borrower regarding said payment(see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67) fourth instructions for obtaining authorization from said borrower via a second electronic communication to process said payment; and fifth instructions for making said payment. (see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67).

As per claim 45, Stokes discloses a system for facilitating referral by a borrower to a vendor, wherein the borrower has an account involving a commercial mortgage loan and ownership interest in the commercial mortgage loan is provided via at least one commercial mortgage backed security, comprising:
a memory;
a communication port; and
a processor connected to said memory and said communication port, said processor being operative to allow access by a borrower to an electronically accessible resource, wherein said electronically accessible resource includes information regarding a commercial mortgage loan account(see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67) receive a request via said electronically accessible resource from said borrower for a service, wherein said borrower is associated with said account;
identify a vendor that can provide said service; identify at least one step associated with said request(see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67) provide a notification via an electronic communication to said vendor regarding said request and said at least one step; and communicate with said vendor regarding said at least one step.

(see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67).

As per claim 46, Stokes discloses a computer program product in a computer readable medium for facilitating payment by a borrower having an account involving a commercial mortgage loan, wherein ownership interest in the commercial mortgage loan is provided via at least one commercial mortgage backed security, comprising: first instructions for facilitating access by a borrower to an electronically accessible resource, wherein said electronically accessible resource includes information regarding a commercial mortgage loan account(see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67) second instructions for obtaining a request via said electronically accessible resource from said borrower for a service, wherein said borrower is associated with said account;
third instructions for selecting a vendor that can provide said service;
fourth instructions for selecting at least one step associated with said request(see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67).
fifth instructions for sending a notification via an electronic communication to said vendor regarding said request and said at least one step; and
sixth instructions for maintaining contact with said vendor
regarding said at least one step. (see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67).

As per claim 47, Stokes discloses a system for facilitating response to an inquiry from an investor regarding a commercial mortgage loan, wherein ownership interest in the commercial mortgage loan is provided to at least one investor via at least one commercial mortgage backed security, comprising:
a memory;
a communication port; and
a processor connected to said memory and said communication port, said processor being operative to allow access by an investor to an electronically accessible resource, wherein said electronically accessible resource includes information regarding a commercial mortgage loan(see column 1 lines 51-60 and column 2 lines 36-67 and

column 3-11 lines 1-67) receive an inquiry via said electronically accessible resource from said investor regarding said commercial mortgage loan;
determine at least one other investor associated with said commercial mortgage loan(see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67) determine a response to said inquiry and provide said response to said investor and said at least one other investor. (see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67).

As per claim 48, Stokes discloses a computer program product in a computer readable medium for facilitating response to an inquiry from an investor regarding a commercial mortgage loan, wherein ownership interest in the commercial mortgage loan is provided to at least one investor via at least one commercial mortgage backed security, comprising:
first instructions for facilitating access by an investor to an electronically accessible resource, wherein said electronically accessible resource includes information regarding a commercial mortgage loan(see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67)
second instructions for obtaining an inquiry via said electronically accessible resource from said investor regarding said commercial mortgage loan; third instructions for identifying at least one other investor associated with said commercial mortgage loan; fourth instructions for identifying a response to said inquiry(see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67) and fifth instructions for sending said response to said investor and said at least one other investor. (see column 1 lines 51-60 and column 2 lines 36-67 and column 3-11 lines 1-67).

CONCLUSION

3 The prior art of record and not relied upon is considered pertinent to Applicants disclosure.
Getchius et al (US 6,393,415 Patent) teaches adaptive partitioning techniques in performing query request and routing.
Ginter et al (US Patent 5,892,900) teaches system and methods for secure transaction management and electronic rights protection..

Roberta et al (US Patent 6,292,788) teaches methods of investment instruments for prtforming tan deferred real estate exchanges.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clement B Graham whose telephone number is 571-272-6795. The examiner can normally be reached on 7am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on 703-308-0505. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications and 703-305-0040 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

CG

Sept 19, 2006

FRANTZY POINVIL
PRIMARY EXAMINER
Art Unit 3628